



## PROPOSED DEPARTMENTAL WORK PLAN

Department Name: Office of the City Attorney

Fiscal Year: 2008/09

Date Prepared/Updated: **February 25/February 28, 2008**

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### **Department Mission/Purpose Statement**

"We are dedicated to providing excellent legal services, consistent with the City's goals and objectives to the Mayor, City Commissioners, City Manager, City Agencies and Committees."

### **Department Description**

Under Article III of the City Charter, the City Attorney is the legal advisor to the City and all of its officers on matters relating to their official duties and responsibilities.

The City Attorney prepares and reviews all ordinances, resolutions, contracts, and related legal documents.

The City Attorney also prosecutes or defends complaints, suits, and controversies when the City is a party before State and Federal courts and administrative agencies.

The office is presently composed of 10 full time Attorneys and one part time Attorney. The support staff consists of an Office Manager, a Legal Administrator, six Legal Secretaries, one Paralegal and one Receptionist.

The office does not generally establish public policy. There is a clear separation of powers between the Commission (Legislative), the City Manager (Executive) and the City Attorney. There are occasions, however, when the City Attorney may initiate change. For example, the office strives to develop new and more efficient methods of providing legal services (research, computer updates, document production, continuing education). These initiatives are internal to the department.

The office also anticipates legal concerns arising from proposed City action and takes steps to prevent problems. The City Attorney also advises the Commission and Administration on changes in the law.

See attached Table of Organization



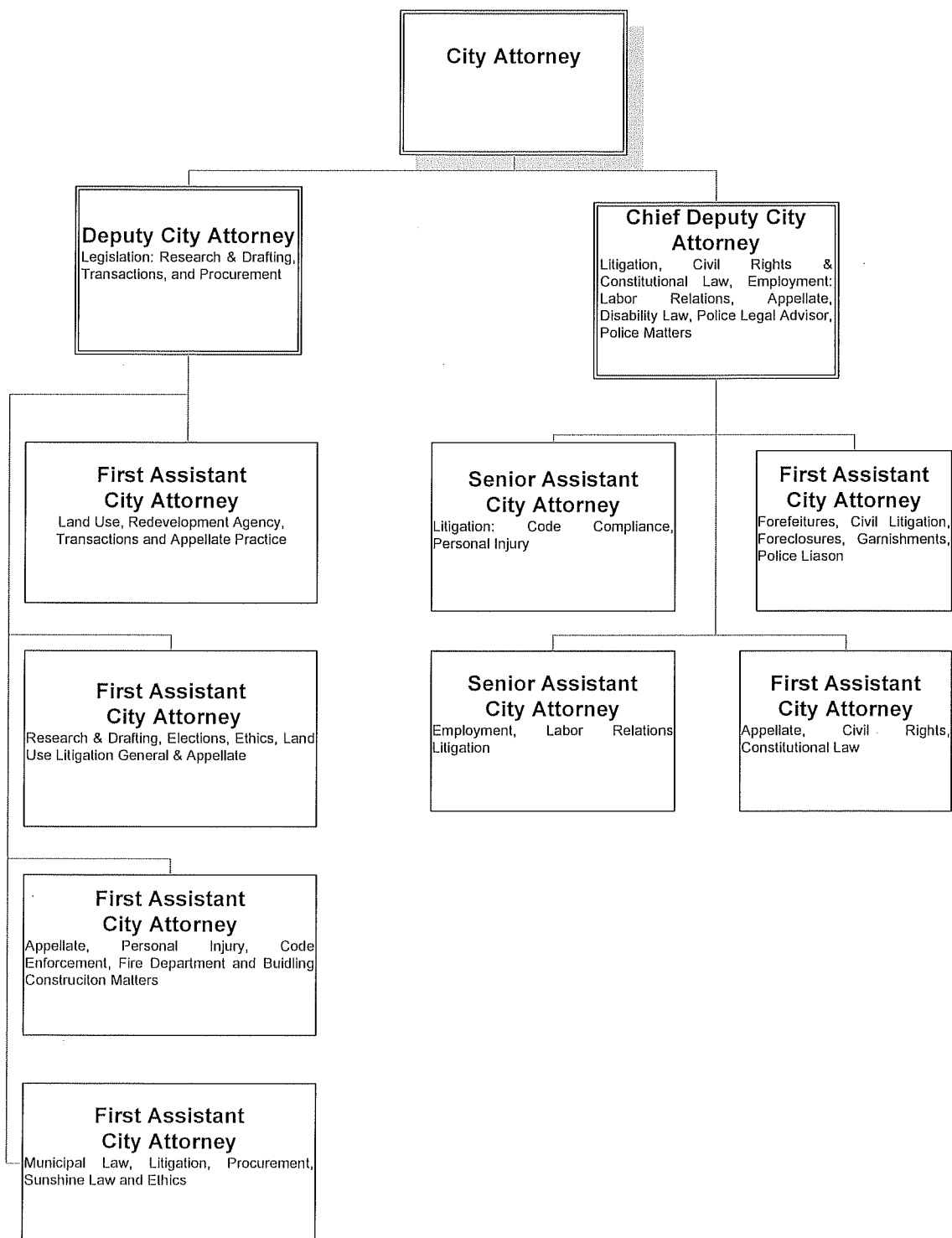
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### **Fiscal Environment:**

The Office of the City Attorney is primarily supported by the General Fund, which provides funding for salaries, operations, and equipment and Capital investments. With some exceptions, the General Fund supports un-reimbursed expenses relating to transactions and litigation. Expenses arising out of tort claims against the City are paid through the Risk Management fund.

### **Business Environment:**

The City Attorney's Office resembles a medium to small sized Law office. Its structure is designed to address and respond to the problems and projects of the Mayor and Commission and various City departments and agencies.

To that end, we have developed a modified specialization structure divided into the categories of Transactions, Employment, Civil Litigation, Civil Rights, Constitutional issues, Police Department, Fire Department, Building Department, Land Use, legislative drafting and ethics and elections. Specialized matters are sometimes handled by outside counsel. These include union negotiations and related litigation, complex construction law, tort and civil rights claims (where a potential conflict exists,) municipal bonds and securities, and complex transactions.



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### **Significant Prior Accomplishments:**

- The office has prevailed in several high profile procurement lawsuits challenging the award of city contracts.
- The office has recovered substantial fines imposed by the Special Master for code violations.
- The office handled a Federal Court appeal upholding the constitutionality of the City's noise Ordinance.
- The office successfully resolved an insurance claim against its Worker's Compensation excess insurance carrier resulting in a \$1.3 million recovery.
- The office prevailed in a high profile alleged wrongful termination lawsuit.
- The office has drafted numerous ordinances and resolutions which have served as models for other municipalities.
- The office has been involved in the negotiations and drafting of contract documents with world class organizations such as Live Nation, New World Symphony, Miami City Ballet and others.
- The office has resolved numerous personal injury claims by Summary Judgment in the city's favor.

### **Critical Success Factors:**

- Appropriate funding for salaries and outside consultant expenses. The latter includes outside legal counsel, accountants, engineers, architects, planners, real estate appraisers, and experts in such other fields where there is a need. Outside consultant expenses are associated with litigation support. However, we often incur costs in transactions and construction disputes.
- Closer working relationships with the administration in personnel and labor areas, building construction, procurement and growth management.



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### **Future Outlook:**

While it is difficult to predict the legal landscape of the City in the years ahead, the City Attorney's Office understands that changes are inevitable, and that its staff must respond to those changes competently and efficiently. To that end, all attorneys are expected to keep current on legal developments, be multi-tasked, and be prepared to deal with new legal issues as they arise. Attorneys are encouraged to work closely with the administration in a collaborative spirit so that the policy directions of the elected officials are implemented.



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### Miami Beach Strategic Planning Framework

The Department Work plan is aligned with Citywide strategic outcomes and initiatives established through extensive community input. The City's strategic planning process provides a framework at a broad level of where we want to go, how we get there, and how we measure our progress along the way. The process ensures increased communications at all levels of City government using consistent terms.

- Our Citywide **Vision** communicates the community's shared vision for the best possible future for the City of Miami Beach:  
*Cleaner and Safer, Beautiful and Vibrant, Mature Stable Residential Community with Well Improved Infrastructure, Urban and Historic Environment, Cultural, Entertainment and Tourism Capital, International Center for Innovation*
- Our Citywide **Mission** statement communicates the role of our government in achieving this vision:  
*We are committed to providing excellent public services and safety to all who live, work, and play in our vibrant, tropical, historic community*
- Our **Values** communicate to all levels of our organization the manner in which we expect all decisions, interactions and activities to be performed:  
*We maintain the City of Miami Beach as a world-class city.  
We work as a cooperative team of well-trained professionals.  
We serve the public with dignity and respect.  
We conduct the business of the City with honesty, integrity, and dedication.  
We are ambassadors of good will to our residents, visitors, and the business community*
- Our **Identified Priorities** communicate activities that are essential to help us achieve our vision:  
*Capital Improvement Program, Strategic Planning and Economic Development, Organizational Development, Neighborhood Services, and Investment in Technology*
- We have developed **Key Intended Outcomes** across all City Departments. These are the results the City plans to achieve towards accomplishing its Vision. These outcomes are from the customer/community perspective (e.g. quality of service provided, customer satisfaction).
- **Key Performance Indicators** express the City's Key Intended Outcomes in measurable terms. Departments monitor additional performance indicators (*Department Performance Indicators*) that support these Citywide Key Performance Indicators.
- **Citywide Initiatives** are undertaken by cross-departmental city teams to drive the performance level for a key performance indicator.
- **Department Activities or Programs** are actions or groups of actions will be undertaken by a particular department in a specific fiscal year in order to achieve an Outcome.